IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 10th day of May 2005

Criminal Misc. Bail Application No.354 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Anoop Singh S/o Brijlal
R/o Katteya
P.S. Kashipur
District Udham Singh Nagar ……..Applicant

Versus

State of Uttaranchal …Opposite Party

Arising out of case crime No.103/2005
U/s 376 I.P.C.
P.S. Kashipur
District U.S. Nagar

Hon'ble J.C.S. Rawat, J.

Heard Smt. Pushpa learned counsel for the applicant, Sri Lalit Sharma learned counsel for the complainant and learned A.G.A. for the State.

Perused the record. The learned counsel for the applicant contended that the incident took place on 9.1.2005 at about 9PM and the F.I.R. was lodged on 12.1.2005. It was further contended that the F.I.R. was recorded under section 354 IPC. The First Information Report does not indicate the commission of offence under section 376 I.P.C. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on his executing a personal bond and two sureties each in the like amount to the satisfaction of the Judicial Magistrate, Kashipur.

(J.C.S. Rawat, J.)

Dated 10.5.2005

LSR